

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
(609) 989-2040

CHAMBERS OF
TONIANNE J. BONGIOVANNI
UNITED STATES MAGISTRATE JUDGE

U.S. COURTHOUSE
402 E. STATE STREET, RM 6052
TRENTON, NJ 08608

January 3, 2018

LETTER ORDER

Re: **United States of America v. Radin**
Case No. 17-4519 (TJB)

Dear Ms. Radin and Counsel:

Earlier today, the Court received the attached email chain sent from Ms. Radin to the undersigned, Mr. Gibko and the Hon. Jose L. Linares at 3:40 p.m. In same, Ms. Radin requests at least a 90 day adjournment of the trial currently scheduled for January 5, 2018 so that she may make a formal motion to compel discovery. In her email, Ms. Radin indicates that she suffers from a physical medical condition that is exacerbated when she sits at a desk and requires her to be given additional time as an accommodation.

Ms. Radin's request for an adjournment is GRANTED in part and DENIED in part. The trial is hereby adjourned. However, Ms. Radin shall file her motion to compel by **February 20, 2018**. The Court finds that this is ample time for Ms. Radin to prepare her motion to compel. Indeed, the Court notes that in the attached email chain, Ms. Radin has already outlined much of the discovery she believes is deficient. The United States shall file its response to Ms. Radin's motion to compel by

March 6, 2018. No additional replies or responses shall be permitted. A new trial date shall be set after a decision on Ms. Radin's anticipated motion to compel is rendered.

Further, in the attached email chain, the Court notes that on December 29, 2017 at 4:20 a.m., Ms. Radin wrote to Mr. Gribko, objecting to discovery being provided to standby counsel, Mr. Davis. Ms. Radin is hereby advised that, as standby counsel, Mr. Davis is entitled to receive discovery so that he can provide her with legal counsel should she so desire. Moreover, Ms. Radin is again reminded, as she was advised during her Initial Appearance, that the right to self-representation is not absolute. Instead, "the trial judge may terminate self-representation by a defendant who deliberately engages in serious and obstructionist misconduct." *Faretta v. California*, 422 U.S. 806, 834 n. 46, 95 S.Ct. 2525, 45 L.Ed. 2d 562 (1975). In the event Ms. Radin, by her conduct at trial, forfeits her right to self-representation, standby counsel shall be appointed to represent Ms. Radin for all purposes and thus, himself, must be prepared to go forward with the trial.

Finally, Ms. Radin is reminded that all of the Court's prior Orders remain in effect, including the Court's most recent Letter Order dated December 21, 2017, which instructed Ms. Radin to "immediately cease and desist telephoning and/or emailing the Chambers of any Judge in this District as well as the United States Attorney's Office for the District of New Jersey." (Letter Order of 12/21/2017 at 2; Docket Entry No. 27). The only exception to this prohibition pertained to Ms. Radin's ability to email the undersigned to request an adjournment of her trial. (*Id.*) It is clear from the attached email chain that Ms. Radin has violated the Court's Order. The Court again cautions Ms. Radin to refrain from violating any Order going forward. As Ms. Radin has already been forewarned, future violations could result in her being held in criminal and/or civil contempt of court. Additionally, should Ms. Radin continue to violate the Court's Orders, that conduct could result in a finding that she has forfeited her

right to self-representation, which would result in standby counsel being appointed for all purposes. Should that occur, any correspondence submitted by Ms. Radin would be ignored.

IT IS SO ORDERED.

s/ Tonianne J. Bongiovanni
TONIANNE J. BONGIOVANNI
United States Magistrate Judge



Gribko did not respond to informal discovery requests, & refused to call Me to discuss a discovery schedule + other issues / adjournment request / coram non judice
Lidya Radin

to:

Gribko, Joseph (USANJ), tjb_orders, njdnef_linares
01/03/2018 03:40 PM

Cc:

"Esq. (mdavis@davisfirmllc.com)", dean loren, mark_morelli, JW Grenadier, Jw Grenadier, Francis Steffan, whistleblower, whistleblower, Eric Holder, "Grace, Marsha L LTC USARMY USARC HQ (US)", paul.safier

Hide Details

From: Lidya Radin <radin.lidya2@gmail.com> Sort List...

To: "Gribko, Joseph (USANJ)" <Joseph.Gribko@usdoj.gov>, tjb_orders@njd.uscourts.gov, njdnef_linares@njd.uscourts.gov

Cc: "Esq. (mdavis@davisfirmllc.com)" <mdavis@davisfirmllc.com>, dean loren <deanloren@gmail.com>, mark_morelli@njd.uscourts.gov, JW Grenadier <jwgbkrup@gmail.com>, Jw Grenadier <psavictim@gmail.com>, Francis Steffan <americanvoiceradio@yahoo.com>, whistleblower@judiciary-rep.senate.gov, whistleblower@ronjohnson.senate.gov, Eric Holder <askdoj@usdoj.gov>, "Grace, Marsha L LTC USARMY USARC HQ (US)" <marsha.l.grace.mil@mail.mil>, paul.safier@usdoj.gov

Magistrate Bongiovanni:

(1) Federal prosecutor Mr. Gribko failed and refused to call Me to discuss a discovery schedule in connection with this informal discovery request, see the forwarded email below, thereby compelling Me to make this request for an adjournment of, at least, 90 days, so that I can make a formal Motion to Compel Discovery.

I have spinal injuries, am trying to avoid surgery, and I have a potentially life-ending physical medical condition such that I can request time to complete this task, as an accomodation under Americans with Disabilities. The constant sitting at a desk to draft this paperwork is making my back injury worse. A federal judge already reviewed a note from a doctor in connection with my physical medical condition and granted Me extra time as an accomodation.

(2) I did not receive your December 21, 2017 communication until December 30, 2017; the envelope is post-marked December 27, 2017.

With the December 31, 2017 and the January 1, 2018 holidays, you gave Me less than two days to respond.

(3) I am not authorized to file papers through ECF. Nevertheless, you appear to be circumventing established procedure, *"The only exception applied to a request, if any, to adjourn the trial. Under such a circumstance, you were permitted to contact this Court via email"*, see page two, the last two lines of paragraph one, of your December 21, 2017 communication to Me.

Accordingly, I am emailing you, as per your request to adjourn the trial date of January 5, 2018, until such time as Mr. Gribko provides all discovery to Me, including any and all ex-parté communications Mr. Gribko had with Magistrate Goodman, her courtroom deputy, Ivanand any one else.

I do not waive, I object to Mr. Gribko's ex-parté communications. Those ex-parté communications resulted in Magistrate Goodman issuing an unlawful bench warrant against Me on December 7, 2017, despite the paperwork I filed before-hand on December 7, 2017. Accordingly, I demand that Mr.

Gribko put any and all of his ex parte communications on-the-record, and that I get a chance to object, and respond, which would, of necessity, result in an adjournment of the January 5, 2018 trial date, because of Mr. Gribko's unlawful conduct.

(4) Notwithstanding item # 1, I am rejecting all of your Orders and all of Magistrate Goodman's Orders because the prosecutor, Mr. Gribko did not obtain the jurisdiction of this Court, see my December 7, 2017 paperwork, page ten, last paragraph:

"Rejecting for cause all your orders, for lack of jurisdiction

Please take judicial cognizance and judicial notice that I reject for cause all your orders for lack of jurisdiction: **there are no sworn allegations, no credible officers, no probable cause based on sworn allegations, no summons or warrant based on sworn allegations, and these defects cannot be cured.** The jurisdiction of the Court was not obtained, and personal jurisdiction over Me through deception was not obtained, notwithstanding the fact that prosecutors cannot obtain jurisdiction through trickery and Honest services fraud, and the failure and refusal of federal judges up to and including the Third Circuit to protect my constitutionally-guaranteed rights and the rule of law.

In addition, I demand and I move this Court to terminate these unlawful proceedings immediately with prejudice in my favor because of your ex parte communications with AUSA Gribko, as Mr. Gribko already admitted and confessed in open court on October 25, 2017, notwithstanding that these proceedings were unlawful from the beginning, are void ab initio."

This Court failed and refused to make findings of fact and conclusions of law, in accordance with my filed paperwork. Please stop threatening Me with unlawful actions. As per 18 USC section 4, reporting to any judge or military officer, I can and will report crimes and the cover-up of crimes, misprision of felony, 18 USC section 4. Accordingly, this email is copied to Chief U.S. District Court Judge Joes Linares, and others.

(5) Notwithstanding items 1 through 4 in this email, you and Mr. Gribko are defrauding the United States in this unlawful action against Me.

I remind you, that Mr. Gribko stated to you on December 12, 2017, on-the-record, that I was arrested on August 10, 2017. Mr. Gribko did not tell you, Magistrate Bongiovanni, that I was not taken without unnecessary delay to a judge on August 10, 2017 after the arrest without a warrant was inflicted upon Me by "Keith Holland" in violation of law.

Nevertheless, you, Magistrate Bongiovanni, can take Judicial Notice, Federal Rules of Evidence, Rule 201 (which is mandatory when requested by Me, a party, and I can demand an open, public hearing pursuant to you taking Judicial Notice, and if you do not give Me an open, public hearing pursuant to taking Judicial Notice that a review of your own court records in Trenton, New Jersey shows that I was not taken without unnecessary delay to a judge after "Keith Holland" arrested Me without a warrant on August 10, 2017, then, you will have committed another due process violation). that a review of the records in your court show that I was not taken without unnecessary delay to a judge on August 10, 2017 after "Keith Holland" arrested Me without a warrant on August 10, 2017, demonstrating that all the government officials involved in this case broke the law.

Because all the government officials involved in this case broke the law, they have no credibility on which to base a finding of probable cause.

Because there is no credible basis for probable cause, Mr. Gribko did not and could not obtain a summons compelling my appearance, and because, Mr. Gribko could not obtain a summons lawfully, Mr. Gribko could not obtain a lawful warrant. The warrant that Mr. Gribko did obtain on December 7, 2017 is unlawful.

On December 12, 2017, Mr. Gribko stood in front of you, Magistrate Bongiovanni, and admitted, on-the-record, to the arrest without a warrant inflicted upon Me on August 10, 2017.

On December 12, 2017, in gross violation of Brady and Giglio, Mr. Gribko was not truthful and forthcoming to you, Magistrate Bongiovanni. Mr. Gribko, did not tell you, Magistrate Bongiovanni, that after the arrest without a warrant that was inflicted upon Me by

"Keith Holland", I was not brought without unnecessary delay to a judge on August 10,2017, in violation of law.

Had Mr. Gribko met his obligations on December 12, 2017, and told you, Magistrate Bongiovanni, the truth, you, Magistrate Bongiovanni, would have been compeled to terminate this case in my favor with prejudice by operation of law on December 12, 2017.

So, I strongly suggest Mr. Gribko tell you, Magistrate Bongiovanni, the truth now, and immediately move to dismiss this farce of a case against Me, before Mr. Gribko compels Me to have him dis-barred.

Alternatively, I move this Court to have this case dismissed for lack of jurisdiction, and for prosecutorial misconduct: see my December 7, 2017 paperwork.

This case is coram non judice, before a person not a judge, because the jurisdiction of the federal district court was not obtained lawfully, and is defrauding the United States.

(6) I already did a review of the Trenton court records with the Supervisor of the Courtroom Deputies, Dan Murphy. Mr. Murphy confirmed my statements. I recorded my conversation with Mr. Murphy, for the accuracy of my records, as per the FBI.

----- Forwarded message -----

From: Lidya Radin <radin.lidya2@gmail.com>

Date: Fri, Dec 29, 2017 at 4:20 AM

Subject: What games are you playing, Mr. Gribko?

To: "Gribko, Joseph (USANJ)" <Joseph.Gribko@usdoj.gov>

Cc: "tjb_orders@njd.uscourts.gov" <tjb_orders@njd.uscourts.gov>, "mark_morelli@njd.uscourts.gov" <mark_morelli@njd.uscourts.gov>, "Mark G. Davis Esq." <mdavis@davisfirmllc.com>, whistleblower@judiciary-rep.senate.gov, whistleblower@ronjohnson.senate.gov, "Grace, Marsha L LTC USARMY USARC HQ (US)" <marsha.l.grace.mil@mail.mil>

The files that you attached marked ATT00001, 00002, and 00003 do not open.

Also, why are you giving my discovery to stand-by counsel Davis ? Mr. Davis does not represent Me. You are required to give discovery to Me, not to Mr. Davis.

What discovery did you give to Mr. Davis ?

And, the video files that you gave Me do not open. Homeland Security has un-edited videos. The FBI has the un-edited videos too. I want all the unedited videos including the ones from the assault on Me by Frank Pena in New York. Deputy U.S. Marshal Jason W. Brasgalla already admitted and confessed on the witness stand that he destroyed evidence, almost an hour of video from the January 28, 2016 assault on Me, by out-of-control, crazy man Frank Pena.

And, I want all the radio transmissions too, including the ones from New York that the prosecutors did not provide to Me, in violation of Brady. And, I want all the Brady materials that the prosecutors in New York did not provide, too. I have the right to see how the cover-up in New York relates to the cover-up in Jersey, from Deputy U.S. Marshal James Howard in New York, colluding and conspiring in federal student loan fraud and keeping Me from having Howard indicted by a federal Grand Jury, to Deputy U.S. Marshal Jerry Sanservino colluding and conspiring in federal student loan fraud with U.S. Attorney Paul Fishman and keeping Me from having them indicted by a federal Grand Jury to Deputy U.S. Marshal Paul Safier in Trenton. I want all my files from Homeland Security, FBI, Marshals.

And, I want all the minutes of the Court Security Committee showing that U.S. Attorney Paul Fishman, the Chief Judges, the Clerk of Court, and the U.S. Marshal, Juan Mattos,Jr., all knew or should have

known that Daniel Doniado was not a federal officer, that U.S. Attorney Paul Fishman failed to charge Jayson Burg with a crime.

Where are the discovery materials, Mr. Gribko, that demonstrate Keith Holland is a Deputy U.S. Marshal ? His ID ? His badge number ? His deputation papers ? The authorization from the DOJ? His oath of office ? His training on the excessive use of force, his training materials particularly his training on bringing any one he arrests to a judge without unnecessary delay, his personal file showing that he was dishonest in the past ? And, his arrest authority.

Where are the Homeland Security files falsely characterizing Me as having been hospitalized in Bellevue as already admitted to by Homeland Security Inspector Justine Green, when, in fact, I was never hospitalized in Bellevue, I worked at Bellevue. I want all my Homeland Security files, Mr. Gribko.

Where is the Marshal's alert on Me, falsely characterizing Me as a sovereign citizen that Burg's attorneys already showed Me and other witnesses, the Marshals alert that Deputy U.S. Marshal Jerry Sanservino created to cover-up for Deputy U.S. Marshal James Howard ?

Where are my FBI files, particularly the ones that show dishonest FBI agent James Eagleeye colluded in maintaining false records to cover-up federal student loan fraud by Yeshiva University ? I want all my FBI files, Mr. Gribko, especially the phone records that show the FBI called the Marshals.

Where are my files from the Hudson County prosecutors office, especially the ones that show Ed De Fazio colluded in federal student loan fraud with Yeshiva University since 2005, and the files that show prosecutor Debbie Simon lied and colluded in maintaining false records, where are all my files from the Hudson County prosecutors office, Mr. Gribko ?

Where are all of Homeland Security Special Agent Robert E. Moore Jr 's investigative notes on Me, Moore is the investigator in my case, where are his notes ?

Please call Me about this Mr. Gribko.

And, be aware that for sanctioning and endorsing Keith Holland breaking the law, I am having Mr. Davis removed as my stand-by counsel, as well as making complaints to his licensing board, the Federal B.A.R. and taking other action.

On Thu, Dec 21, 2017 at 8:39 PM, Gribko, Joseph (USANJ) <Joseph.Gribko@usdoj.gov> wrote:
Ms. Radin

Attached please find a copy of the documents sent to you by Federal Express

Sent from my iPhone

Begin forwarded message:

From: "Gribko, Joseph (USANJ)" <JGribko@usa.doj.gov<<mailto:JGribko@usa.doj.gov>>>
Date: December 20, 2017 at 2:57:51 PM EST
To: "tjb_orders@njd.uscourts.gov<mailto:tjb_orders@njd.uscourts.gov>"

<tjb_orders@njd.uscourts.gov<mailto:tjb_orders@njd.uscourts.gov>>
Cc: "Mark G. Davis, Esq. (mdavis@davisfirmllc.com<<mailto:mdavis@davisfirmllc.com>>)"
<mdavis@davisfirmllc.com<<mailto:mdavis@davisfirmllc.com>>>, "Mark_Morelli@njd.uscourts.gov
<mailto:Mark_Morelli@njd.uscourts.gov>" <Mark_Morelli@njd.uscourts.gov
<mailto:Mark_Morelli@njd.uscourts.gov>>
Subject: US v. Radin

Attached please find Correspondence and Exhibits relating to the above-reference mater. I have sent a copy to the defendant by Federal Express.

Respectfully submitted,
Joe Gribko